

**Notice of Allowability**

Application No.

09/993,986

Examiner

Glenda P. Rodriguez

Applicant(s)

HEYDARI ET AL.

Art Unit

2651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/17/05.
2. ☒ The allowed claim(s) is/are 1-5, 7-16, 19, 20 and 22-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input checked="" type="checkbox"/> Other <u>See Continuation Sheet</u> .           |

Continuation of Attachment(s) 9. Other: Acknowledgement of cancelled claims.

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1-5, 7-16, 19, 20, 22-26 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding Claims 1 and 10, the primary reason for allowance is the inclusion of the limitation wherein to add the even samples to generate a first sum and to add the odd samples to generate a second sum of a first servo position burst and also by the Applicants argument in Page 13, 3<sup>rd</sup> paragraph.

Regarding Claim 5, the primary reason for allowance is the inclusion of the limitation wherein a position-burst demodulator comprising a first adder to add even samples together to generate a first sum and to add the odd samples together to generate a second sum and also by the Applicants argument in Page 13, 3<sup>rd</sup> paragraph.

Regarding Claims 12, 15, 20, 24 and 27, the primary reason for allowance is the inclusion of the limitation wherein summing the even samples of the first servo burst; summing the odd samples of the first servo position burst; square the summed even samples of the first servo position burst and to square the summed odd samples for the first position burst and also by the Applicants argument in Page 13, 3<sup>rd</sup> paragraph.

Regarding Claims 28 and 29, the primary reason for allowance is the inclusion of the limitation wherein to add the even samples to generate a first sum from the first and second servo position burst and to add the odd samples to generate a second sum from the first and second position burst and also by the Applicants argument in Page 13, 3<sup>rd</sup> paragraph.

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Regarding Claims 4, 8, 9, 11, 14, 19, 23, 26, the reasons for allowance are found in Office Action dated 01/19/05.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Examiner acknowledges that Claims 6, 17, 18 and 21 have been cancelled in the Reply given by the Applicant dated 10/17/05.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenda P. Rodriguez whose telephone number is (571) 272-7561. The examiner can normally be reached on Monday thru Thursday: 7:00-5:00; alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


A handwritten signature in black ink, appearing to be "GR" with a stylized flourish underneath. Below the signature, the letters "EP" are printed in a small, sans-serif font.

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02/02/06.

  
**DAVID HUDSPETH**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**